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Terry Goddard Files Suit Against EPA Over Regulation of Toxic Chemicals

(Phoenix, Ariz. – Nov. 28, 2007) Attorney General Terry Goddard today joined 11 other states in filing a lawsuit against the U.S. Environmental Protection Agency over new regulations reducing public access to information about toxic chemicals.

The lawsuit seeks to invalidate the EPA's revised Toxics Release Inventory (TRI) regulations and return to the former reporting requirements so that public access to environmental information is not restricted.

The TRI is the only comprehensive, publicly-available database of toxic chemical use, storage, and release in the U.S. Under the TRI, companies are required to provide the EPA and all 50 states with information critical to public health and safety and environmental protection. This information includes the types and amounts of toxic chemicals stored at the company's facilities and the quantities they release into the environment.

"These new regulations put our communities at risk," Goddard said. "In Arizona, we've seen fires involving toxic chemicals, and knowing what chemicals are involved help firefighters and public safety personnel take the necessary precautions to protect themselves as well as the surrounding neighborhoods. Without this information, our public safety personnel and our neighborhoods are at much greater risk of being exposed to unknown hazards during a fire or chemical spill."

In December 2006, the EPA issued revised regulations that significantly weakened the TRI by reducing the amount of information companies must report about the toxic chemicals covered by the program. For many toxic chemicals, the EPA's new regulations substantially increased the quantity of chemical waste a facility can generate without providing detailed TRI reports.

"We have opposed EPA's effort to keep citizens in the dark about toxic chemicals in their neighborhoods since the outset," ADEQ Director Steve Owens said. "Citizens have a right to know about these dangerous substances, and agencies and emergency

responders need to have this information to protect the health and safety of our communities."

The EPA's rollback of TRI regulations reduces the ability of labor organizations, environmental and public health advocates, community groups and individuals to effectively monitor and respond to the presence of toxins in their communities.

Congress enacted, and President Ronald Reagan signed into law, the Toxics Release Inventory program in 1986, after the Bhopal toxic chemical catastrophe in India. In 1984, a deadly cloud of methyl isocyanate accidentally released from a Union Carbide plant in Bhopal, India, killed or seriously injured more than 2,000 people. Shortly thereafter, a serious chemical release occurred at a sister plant in West Virginia.

The 11 other states involved in the suit are: California, Connecticut, Illinois, Maine, Massachusetts, Minnesota, New Hampshire, New Jersey, New York, Pennsylvania and Vermont.

A copy of the complaint is available on the Attorney General's Web site at www.azag.gov. The lawsuit was filed today in U.S. District Court in New York State.

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